



U.S. Department of Justice

Antitrust Division

USDC SDNY  
 DOCUMENT  
 ELECTRONICALLY FILED  
 DOC #:  
 DATE FILED: 7/1/2019

---

*New York Office*

26 Federal Plaza  
 Room 3630  
 New York, New York 10278-0004

212/335-8000  
 FAX 212/335-8023

June 28, 2019

**VIA ECF**

The Honorable Lorna G. Schofield  
 United States District Judge  
 Southern District of New York  
 500 Pearl Street  
 New York, New York 10007

Re: *In re Foreign Exchange Benchmark Rates Antitrust Litigation*, No. 13-cv-7789 (LGS); *NYPL, et al. v. JPMorgan Chase & Co., et al.*, 15-cv-9300 (LGS); *Contant, et al. v. Bank of America Corporation, et al.*, No. 17-cv-3139 (LGS); *Allianz, et al. v. Bank of America Corporation, et al.*, No. 18-cv-10364 (LGS)

Dear Judge Schofield:

Pursuant to the Court's April 1, 2019 Order (13-cv-7789, Dkt. No. 1283), the United States Department of Justice, through the Antitrust Division and the Fraud Section of the Criminal Division ("the Department"), respectfully requests a three-month extension of the limited discovery stay of certain depositions and interviews in the above-referenced matters. The Department submits that the stay is necessary given the upcoming trial and appeal in two FX-related cases:

- *United States v. Aiyer*, 18-cr-333, is set for trial before Judge Koeltl of the Southern District of New York on October 21, 2019.
- *United States v. Johnson*, 18-1503-cr, is on appeal to the Second Circuit. The case is fully briefed and was argued on May 31, 2019.

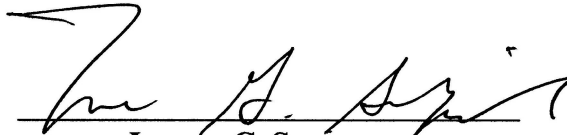
As before, the Department would continue to consider one-off requests for depositions of individuals who are covered by the terms of the stay. The Department has approved such requests by the *In re Foreign Exchange* and the *NYPL* Plaintiffs in the past. In addition, since the last extension request, the Department considered a longer list of individuals sent by Class Plaintiffs and consented to depositions of many of them.

The Department submits that the scope of the stay appropriately balances the need to protect the integrity of ongoing cases with Plaintiffs' desire for testimonial discovery at this juncture of the civil cases.

Plaintiffs in the *In re Foreign Exchange* case (13-cv-7789), the *Contant* case (17-cv-3139), and the *Allianz* case (18-cv-10364) consent to the Department's request, as do all Defendants except Credit Suisse, which takes no position. Plaintiffs in the *NYPL* matter (15-cv-9300) oppose the Department's request.

It is ORDERED that the NypI Plaintiffs shall file a letter response, not to exceed two pages, by July 8, 2019. The Clerk of Court is respectfully directed to docket this Order at Nos. 13 Civ. 7789, 15 Civ. 9300, 17 Civ. 3139 and 18 Civ. 10364.

Dated: July 1, 2019  
New York, New York



LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE